

FORM PTO-1083

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



11w/1639
Docket No.: 200.1079CON4

Date: July 3, 2008

In re application of: Ronald M. BURCH, et al.
Application No.: 10/056,348
Filed: January 25, 2002
For: ANALGESIC COMBINATION OF OXYCODONE AND NABUMETONE

Sir:

Transmitted herewith is a **Response to the Election of Species Requirement (7 pages)** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
- ☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
- ☐ No fee for additional claims is required.
- ☐ A filing fee for additional claims calculated as shown below, is required:

- ☒ Also transmitted herewith are:
 - ☐ Petition for three (3) months extension under 37 C.F.R. 1.136
 - ☒ Other: **Return postcard**

- ☐ Check(s) in the amount of **\$0.00** is/are attached to cover:
 - ☐ Filing fee for additional claims under 37 C.F.R. 1.16
 - ☐ Petition fee for three (3) months extension under 37 C.F.R. 1.136
 - ☐ Other:

- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.

- ☐ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.


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I hereby certify that the documents referred to as attached therein and/or transmitted herewith and/or fee(s) are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 3, 2008.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 

Naomi A. Krakower



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/056,348
Applicant : Ronald M. BURCH, et al.
Filed : January 25, 2002
TC/A.U. : 1639
Examiner : Sue Xu LIU
Docket No. : 200.1079CON4
Customer No. : 23280
For : **Analgesic Combination of
Oxycodone and Nabumetone**
Docket No. : 200.1079CON4

Mail Stop: Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

July 3, 2008

Response to the Election of Species Requirement

Sir:

In response to the Office Action mailed June 4, 2008, Applicants submit the following:

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper.

Arguments/remarks begin on page 6 of this paper.